Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	405-10163-2853-055	Date:	06/27/05	Time:	1630 Hours
Location:	[redacted]				
City or Station:	Compton				
Bureau/Station/Facility:	Field Operations Region II, Compton Station	Admin. Investigation:	YES ☐ NO ☒		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	Barsh	Jennifer	L.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]			Adult

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]			Adult

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		26	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Rodriguez	John	L.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Do	David	C.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Regalado	Raul	D.

Watch Commander's Signature: Michael J. Parker 04/12/06 Emp #: [redacted]

MICHAEL J. PARKER, LIEUTENANT, IAB

Copy Provided to Employee by: ____________ Emp #: ____________

Supervisor Completing Form: Wes M.Sutton (Print) Emp #: [redacted]

Unit Commanders Signature: ____________ Emp #: ____________ Date Signed: ____________

PSTD Use Only

FO# 2149441

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 405-10163-2853-055

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OE	NN	
E#1	S#1	PH	FR	NO
S#1	E#2	PH	NN	
E#2	S#1	SP	CP	SH
S#1	E#3	PK	NN	
E#3	S#1	FL	FR	LE
S#1	E#4	RS	NN	
E#4	S#1	FL	CP	AR
S#1	E#5	RS	NN	
E#5	S#1	FL	CP	SH
S#1	E#6	RS	NN	
E#6	S#1	PO	CP	HE
S#1	E#7	RS	NN	
E#7	S#1	TR	PW	BK

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 405-10163-2853-055

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	Compton Station	284

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	29	6'00"	210

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case #	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	Compton Station	283A

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	29	5'07"	185

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	Sumner	Joseph	P.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	Compton Station	285

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	34	5'10"	235

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	Chavez	Iuan	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	H	Compton Station	287

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	41	5'11"	190

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E5

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	Compton Station	287

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	32	5'09"	190

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E6

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	H	Compton Station	284A

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	32	5'11"	230

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

See Other Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 405-10163-2853-055

Involved Employee

E7

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	H	Compton Station	283

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	35	5"10"	283

Medical Exam/Treatment ☐	If Admitted, Name of Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment ☐	If Admitted, Name of Hospital:	Coroner Case#	Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment ☐	If Admitted, Name of Hospital:	Coroner Case#	Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment ☐	If Admitted, Name of Hospital:	Coroner Case#	Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment ☐	If Admitted, Name of Hospital:	Coroner Case#	Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment ☐	If Admitted, Name of Hospital:	Coroner Case#	Directed Force ☐ Significant Force ☐

See Other Side

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 405-10163-2853-055

Suspect Information

S1

Last Name: Cabrera			First Name: Javier			Middle Name:	
AKA Last Name: "Tiny"			First Name:			Middle Name:	
Sex: ☒ Male ☐ Female	Race: H	Street Address: [redacted]		City: [redacted]		State & Zip Code: [redacted]	
Work Phone: None	Home Phone: Unknown		Age: 34	Height: 5' 10"	D.O.B. 11-16-71	Weight: 230	Armed? ☒
Booking #: 8635-207	Primary Charge: 245(C) PC		Secondary Charge: 11359 HS			Criminal History [redacted]	
Hospital Admission? ☒	Rec'd Treatment At: Long Beach Memorial			Coroner Case#:		Mental History ☐	
Under Influence: ☒ YES ☐ NO Substance: Stimulant				Photos of Suspect's Injuries ☒ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
06/27/06 & 06/28/05	0025	☒	☒

Suspect Information

S_

Last Name:			First Name:			Middle Name:	
AKA Last Name:			First Name:			Middle Name:	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:		State & Zip Code:	
Work Phone:	Home Phone:		Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:			Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:				Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
		☐	☐

Suspect Information

S_

Last Name:			First Name:			Middle Name:	
AKA Last Name:			First Name:			Middle Name:	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:		State & Zip Code:	
Work Phone:	Home Phone:		Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:			Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:				Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape:	Videotape:
		☐	☐

INVESTIGATIVE SUMMARY
USE OF FORCE
IMPACT WEAPONS
HEAD INJURY
IAB #FO 2149441
URN: 405-10163-2853-055

On June 27, 2005, at approximately 1630 hours, Deputy [redacted] and Deputy [redacted] conducted a patrol check at [redacted] in [redacted] (location). Deputy [redacted] and Deputy [redacted] were working as partners in their marked Sheriff's patrol car. As they drove towards the location, Deputy [redacted] recognized a male Hispanic (later identified as Suspect Javier Cabrera) [redacted]

As the patrol car reached the front of the location, Deputy [redacted] saw S/Cabrera drop two small objects on the ground. Suspect Cabrera then walked towards the front door of the location. Deputy [redacted] alerted Deputy [redacted] to S/Cabrera's actions and believed that he (Cabrera) had discarded narcotics. Deputy [redacted] stopped the patrol car in front of the locations and both deputies exited to conduct an investigation. After exiting the patrol car Deputy [redacted] picked up the two objects that S/Cabrera had discarded. He [redacted] saw the objects were two clear plastic baggies, containing Marijuana.

Deputy [redacted] and Deputy [redacted] said they yelled at S/Cabrera to stop walking towards the front of the location, but he did not respond. Deputy [redacted] said he gave chase and walked up quickly behind S/Cabrera, who was entering the caged-in area of the front porch. The front porch of the location is completely enclosed and has a locking security gate. Deputy [redacted] said S/Cabrera attempted to close the security gate on him. Deputy [redacted] pulled the gate open and saw S/Cabrera begin to enter the front door of the location.

Deputy [redacted] said S/Cabrera tried to close the front door on him, but Deputy [redacted] pulled it open and saw S/Cabrera standing directly in front of him. Suspect Cabrera was holding a box cutter knife, with the blade exposed, in his left hand. Deputy [redacted] said that S/Cabrera was crouched in a "fighting stance" and was within arms reach. Suspect Cabrera then punched Deputy [redacted] once in the chest. Fearing that S/Cabrera was about to assault him, Deputy [redacted] punched S/Cabrera once in the face then grabbed onto him. Deputy [redacted] took S/Cabrera to the floor where the fight continued. Assisting deputies arrived and used impact weapons and a Taser to subdue and arrest S/Cabrera.

Deputy [redacted] suffered an injury to his left elbow, possibly a torn muscle or tendon. Deputy [redacted] suffered a fracture to his right hand. Suspect Cabrera suffered a fractures to his lower right leg, nose and ribs.

INVOLVED PERSONNEL:

[redacted] Deputy #[redacted]
Field Operations Region II
Compton Station

[redacted] Deputy #[redacted]
Field Operations Region II
Compton Station

SUMNER, Joseph, Deputy #[redacted]
Field Operations Region II
Compton Station

[redacted] Deputy #[redacted]
Field Operations Region II
Compton Station

CHAVEZ, Ivan, Deputy #[redacted]
Field Operations Region II
Compton Station

[redacted] Deputy #[redacted]
Field Operations Region II
Compton Station

[redacted] Deputy #[redacted]
Field Operations Region II
Compton Station

EMPLOYEE WORK HISTORY:

[redacted]

Date of Employment	10/14/99
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	05/28/99
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]

Sumner, Joseph

Date of Employment	06/11/98
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	11/08/94
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]

Chavez, Ivan

Date of Employment	07/01/90
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	09/17/00
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment	10/04/91
Date assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]

EMPLOYEE WITNESS:

[redacted] Deputy #[redacted]
Field Operations Region II
Compton Station

BARSH, Jennifer, Deputy #[redacted]
Field Operations Region II
Compton Station

SUSPECT/INMATE:

CABRERA, Javier MH/11-16-71 Booking #8635-207
[redacted]

Suspect Cabrera's criminal history [redacted]

CIVILIAN WITNESSES:



[redacted] FB/Adult
[redacted]

[redacted] MH/Adult ([redacted])
[redacted]

[redacted] FH/09-23-79
[redacted]

EMPLOYEE INJURIES:

[redacted]

Deputy [redacted] re-injured his left elbow and triceps muscle, when he tripped and fell (Refer to Employee Injury Report, Exhibit AA) while following behind Deputy [redacted]

[redacted]

Deputy [redacted] fractured his right hand when he punched S/Cabrera in the face (Refer to Employee Injury Report, Exhibit Z).

SUSPECT INJURIES:

Cabrera, Javier

Suspect Cabrera was transported by ambulance to Long Beach Memorial Hospital where he was seen by Doctor Jason Fisher.

Myself (Sgt. Sutton) and Sergeant Baird inspected Suspect Cabrera for injury at the Long Beach Memorial Hospital emergency room. I observed that Suspect Cabrera's face was swollen and his eyes were partially swelled closed. He also had a splint on his right lower leg and he complained of pain to the right side of his chest and back (Refer tp Photographs, Exhibits W & X). The treating physician, Doctor Fisher was not available for comment.

Suspect Cabrera signed a medical release for his records related to this incident. I received photocopies of his medical records (Refer to Exhibit Y) from Long Beach Memorial Hospital on October 23, 2005. Those records indicate that Suspect Cabrera had two (2) fractured right ribs, a fractured nasal bone and a fractured right tibia (lower leg bone).

WEAPONS USED BY DEPUTY PERSONNEL:

[redacted]

Deputy [redacted] used his fists to punch S/Cabrera in the facial area.

[redacted]

Deputy [redacted] used his sap to strike S/Cabrera on the upper left portion of S/Cabrera's back (Refer to Photograph, Exhibit S).

Sumner, Joseph

Deputy Sumner used his flashlight to strike S/Cabrera on the lower leg area (Refer to Photograph, Exhibit T).

[redacted]

Deputy [redacted] used his flashlight to strike S/Cabrera on the left shoulder and left upper arm (Refer to Photograph, Exhibit U).

Chavez, Ivan

Deputy Chavez used his flashlight to strike S/Cabrera on the right upper arm and left rib area (Refer to Photograph, Exhibit V).

[redacted]

Deputy [redacted] use his right foot/boot to hold S/Cabrera's head on the floor, by pushing on the back of his (Cabrera's) head.

[redacted]

Deputy [redacted] used his Department assigned Taser and deployed it on S/Cabrera. He activated the Taser for one 5 second burst.

WEAPONS USED BY SUSPECT:

Suspect Cabrera was allegedly armed with a box cutter (razorblade knife) when first contacted by Deputy [redacted]. Suspect Cabrera then used his fists, arms, legs and feet to assault deputies. The knife was recovered by deputies at the scene and booked into evidence (Refer to Incident Report, Exhibit A).

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator's Name	Detective Traci Gonzales #[redacted]
Court	Compton Court
Charges Filed	245 © PC, 11359 HS
Court Date	09/27/05
Case Number	XSCTA07989401
Sentenced	69 PC, 2 Years State Prison

LIGHTING OR WEATHER CONDITIONS:

The time of day was approximately 1630 hours, it was clear and warm. The interior of the location was dimly lit from the outside sunlight.

INVOLVED EMPLOYEES STATEMENTS:

[redacted]

On August 23, 2005, at approximately 1555 hours, I (Sgt. Sutton) conducted and interview with Deputy [redacted] at Internal Affairs Bureau. Present during the interview was Sergeant Baird of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS. The following is a summary of that interview and Incident Report submitted by Deputy [redacted](Refer to Incident Report, Exhibit A).

Deputy Haggerty said that seven to ten days preceding this incident he had received information that rock cocaine was being sold at [redacted] He said that they (deputies) have been "hitting" the location pretty hard for the past week, referring to conducting patrol checks. He added that he (Haggerty) has made some arrests at the location.

Deputy [redacted]said that on June 27, 2005 he and his partner (Deputy [redacted]drove towards the location in their marked radio car. Deputy [redacted] was driving and Deputy [redacted]was the passenger. Deputy[redacted]saw a male Hispanic (S/Cabrera) who he recognized from a previous narcotics arrest. S/Cabrera was standing on the sidewalk in front of the location. He also saw two other persons standing near the sidewalk in front of the location. Deputy[redacted]said they drove towards the front of the location. When their patrol car was approximately 15' away he ([redacted] saw S/Cabrera discard two small plastic baggies on the ground. He alerted Deputy [redacted]that he saw S/Cabrera "toss" possible narcotics. Deputy[redacted]said Deputy [redacted]stopped the radio car in front of the location. Believing that S/Cabrera discarded some type of narcotics they ([redacted]& [redacted]) immediately exited the radio car and attempted to make contact with S/Cabrera. Deputy [redacted] picked up the baggies on the ground and saw they contained Marijuana.

S/Cabrera began quickly walking away, on the front walkway, towards the front door of the location. Deputy [redacted] said he ordered S/Cabrera to stop, but S/Cabrera ignored him and continued to walk towards the front door. Deputy [redacted] said S/Cabrera began to walk faster when he reached the security gate leading to the front porch of the location. Deputy [redacted] again ordered S/Cabrera to stop, but he ignored Deputy [redacted] orders. Deputy [redacted] said at this point it was obvious to him that S/Cabrera was attempting to avoid arrest. Deputy [redacted] also saw that other persons were standing in the front yard of the location.

Deputy [redacted] said S/Cabrera entered the security gate leading to the porch and began to pull the gate closed behind him. Deputy [redacted] said he grabbed the gate and pulled on it. S/Cabrera let go of the gate and moved towards the front door of the location. S/Cabrera entered the location through a second security gate and closed the door before Deputy [redacted] could follow him. Deputy [redacted] said he grabbed the door knob on the gate and began to twist it.

He could see that S/Cabrera was trying to lock the gate, but Deputy [redacted] was able to twist the door knob to keep him from locking it. S/Cabrera then closed the actual wooden entry door. Deputy [redacted] immediately pushed open the wooden door and stepped just inside the location. He saw S/Cabrera standing directly in front of him, in the livingroom. At this point Deputy [redacted] believed that Deputy [redacted] was following behind him, however Deputy [redacted] did not enter the location.

> ***IAB Note: Deputy [redacted] had apparently fallen down and injured his left elbow. Deputy [redacted] said that he was not able to assist Deputy [redacted] because the injury to his left elbow (Refer to Deputy [redacted] Interview).***

Deputy [redacted] said that S/Cabrera was standing just in front of him gripping a box cutter type of knife in his left hand, pointing it down along his (Cabrera's) leg. Deputy [redacted] said that S/Cabrera was in somewhat of a fighting stance with his right hand clenched in a fist and legs slightly bent, lowering his weight. Suspect Cabrera stated "Fuck you man, come on lets get it on," then punched Deputy [redacted] in the chest. Deputy [redacted] said he backed-up slightly and saw that S/Cabrera began to raise the box cutter he was holding in his left hand. Deputy [redacted] said he did not further back away from S/Cabrera, nor did he draw his handgun or OC spray. Deputy [redacted] felt as if he did not have enough time to draw a weapon or back away because he believed that S/Cabrera was about to lunge towards him and assault him with the knife.

Deputy [redacted] punched S/Cabrera once in the face with his right fist. After punching S/Cabrera, he [redacted]) immediately wrapped his arms around him (Cabrera) to avoid being stabbed with the knife. Deputy [redacted] felt this tactic was his only option, given the fact that S/Cabrera was so close to him. Deputy [redacted] pulled S/Cabrera down to the floor and S/Cabrera fell backwards, onto his back. Once on the floor Deputy [redacted] used his right hand to hold onto S/Cabrera's left arm so he could not stab him. S/Cabrera then punched him [redacted] several times in the upper body with his right hand. Deputy [redacted] said he punched S/Cabrera several times in the face with his left hand and ordered him to stop fighting and to drop the knife.

Deputy [redacted] said S/Cabrera was kicking his knees and legs, striking him ([redacted] in the lower torso. Deputy [redacted] said he also used his knees to strike S/Cabrera in his torso, attempting to fend of his (Cabrera's) attack. Deputy [redacted] said he repeatedly told S/Cabrera to stop fighting and to drop the knife.

While struggling with S/Cabrera, Deputy [redacted] could hear Deputy [redacted] yelling at the persons who were in the front yard. He heard Deputy [redacted] say something to the effect of "Get back, get Back," or "Get down, get down." Deputy [redacted] said he and S/Cabrera exchanged punches for what seemed "a long time." Deputy [redacted] said that he ([redacted]) began to tire and worried that he was losing the fight with S/Cabrera. Deputy [redacted] said that there was "blood everywhere" and he began to lose his grip on S/Cabrera's left hand. Deputy [redacted] said at some point during the struggle, S/Cabrera dropped the box cutter on the floor.

Deputy [redacted] repositioned himself by placing S/Cabrera in a modified "Bar-armed lock." He ([redacted] was lying on his back and locked S/Cabrera's left arm against his [redacted] chest, then wrapped his legs around S/Cabrera's torso. Deputy [redacted] said he remained in this position until assisting deputies arrived. He said that S/Cabrera continued to struggle trying to break free of his ([redacted]) grip.

Deputy [redacted] said S/Cabrera punched him repeatedly in the back of his head with his free right hand. Deputy [redacted] believed that S/Cabrera was under the influence of narcotics, based on the fact he (Cabrera) was so violent and not tiring.

At some point during the altercation Deputy [redacted] heard Deputy [redacted] radio for assistance. Deputy [redacted] said that Deputy [redacted] was standing on the front porch of the location during the time he [redacted]) was fighting S/Cabrera. He saw that Deputy [redacted] had his weapon drawn and appeared to be detaining persons at gunpoint in front of the location. Deputy [redacted] said that Deputy [redacted] yelled to him, "You got him, you got him, you okay, you got him?" Deputy [redacted] told Deputy [redacted] that he had control of S/Cabrera.

> ***IAB Note: Deputy [redacted] drew a sketch of the location, indicating where he was fighting with S/Cabrera and where Deputy [redacted] was positioned during the incident (Refer to Exhibit I). He also indicated where he recovered the Marijuana that S/Cabrera had discarded.***

Deputy [redacted] said assisting deputies arrived and attempted to take S/Cabrera into custody. He said S/Cabrera continued to struggle and the deputies punched him (Cabrera) in the upper torso. Deputy [redacted] could not recall specifically what force each of the assisting deputies used on S/Cabrera. Deputy [redacted] recalls Deputy [redacted] Deputy [redacted] and Deputy Sumner arriving to assist him. At some point during the struggle Deputy [redacted] said he saw Deputy [redacted] was armed with a Sap, but he did not see him strike S/Cabrera with it. He could not specifically remember who punched S/Cabrera, nor did he witness any of these deputies use impact weapons. He does recall seeing Deputy [redacted] deploy the Taser on S/Cabrera.

Deputy [redacted] said that the assisting deputies were able to handcuff S/Cabrera without further incident once the Taser was deployed and activated.

Deputy [redacted] said he is familiar with the foot pursuit policy (Refer to Miscellaneous Documents) and knows that the policy prohibits lone deputy personnel from chasing suspects into buildings. His reason for chasing the suspect into the location was because S/Cabrera had just committed a crime. Deputy [redacted] believed that Deputy [redacted] was following behind as he entered the location. Deputy [redacted] said he and Deputy [redacted] never lost sight of each other during the entire incident.

Deputy [redacted] said that he did not consider containing the location rather than follow S/Cabrera inside. He said that he knew the location was known for narcotics sales and he did not know if there were other occupants inside when he chose to enter. Deputy [redacted] said that he and Deputy [redacted] discussed tactical planning in reference to the location. Deputy [redacted] was designated as the one who would make initial contact with individuals at the location, while Deputy [redacted] stood-by and observed.

Deputy [redacted] said he broke his right hand in the incident (Refer to Employee Injury Report, Exhibit Z).

Deputy [redacted] later learned that Deputy [redacted] had fallen down and injured his left triceps muscle and elbow (Refer to Employee Injury Report, Exhibit AA).

[redacted]

On August 24, 2005, I (Sgt. Sutton) conducted an interview with Deputy [redacted] at Internal Affairs Bureau. Present during the interview was Sergeant Baird of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS. The following is a summary of that interview and the supplemental report submitted by Deputy [redacted] (Refer to Supplemental Report, Exhibit B).

Deputy [redacted] said, on June 27, 2005, while working routine patrol he heard emergency radio traffic. Deputies were requesting assistance at [redacted] they were involved in a fight. While driving to the location Deputy [redacted] recalls hearing some type of additional radio traffic stating "Their still fighting." Deputy [redacted] said it took him less than 1 minute to arrive and believes that he was the first assisting deputy to arrive at the location.

Upon arriving he saw three persons "proned out" on the walkway in front of the location, being detained by Deputy [redacted] Deputy [redacted] was standing near the front entrance of the location. Deputy [redacted] said Deputy [redacted] attention was not only focused on the individuals in the front yard but he was also looking into the front door of the location.

> ***IAB Note: Deputy [redacted] drew a sketch of the location, depicting where Deputy [redacted] was standing and detaining the persons in the front yard. He also indicated where Deputy [redacted] was fighting with the Suspect (Refer to Drawing, Exhibit J).***

Deputy [redacted] said as he approached the front door of the location he could hear yelling, something to the effect of, "Stop fighting. Get on the ground." Deputy [redacted] believed that Deputy [redacted] had control of the persons in the front yard, so he went to assist the deputy inside the location. When Deputy [redacted] entered the location he saw that Deputy [redacted] was on the floor fighting with S/Cabrera, approximately 8'to 10' feet inside the front door. He saw that Deputy [redacted] was attempting to place S/Cabrera's left arm into some type of arm lock or control hold. Deputy [redacted] said that S/Cabrera continued to resist and Deputy [redacted] punched the Suspect in the head and face area numerous times. S/Cabrera was swinging his arms and violently kicking his legs, attempting to break free.

Deputy [redacted] said he attempted to grab S/Cabrera's right arm with his hands, intending to handcuff the Suspect. He said that S/Cabrera was face down and pulled his right arm away, then concealed his right hand and arm under his torso. Deputy [redacted] feared that S/Cabrera was going to arm himself with some type of weapon when he reached under his torso. Deputy [redacted] then armed himself with his sap and began striking S/Cabrera on his right upper arm and upper back area. He said that he [redacted] repeatedly ordered S/Cabrera to surrender, but he refused and continued to fight. Deputy [redacted] believes he struck approximately 10 times with his sap. Deputy [redacted] recalls seeing a box cutter on the floor near the suspect.

Deputy [redacted] said that shortly after he arrived Deputy [redacted] and Deputy Chavez arrived. He said both Deputies [redacted] and Chavez positioned themselves behind him [redacted]. He saw that both Deputies had armed themselves with their flashlights. He said both Deputies struck S/Cabrera with their flashlights and they also ordered S/Cabrera to stop fighting, but he refused to surrender. He said at some point Deputy Sumner arrived and "wrestled" with S/Cabrera's legs. Deputy [redacted] did not see any specific force that Deputy Sumner used because he (Sumner) was positioned behind him [redacted]

Deputy [redacted] believes that Deputy [redacted] struck S/Cabrera somewhere in the upper torso area with his ([redacted]) flashlight. He also believes that Deputy Chavez stuck the Suspect in the same general area with his (Chavez') flashlight.

Deputy [redacted] said that Deputy [redacted] arrived, armed with a Taser. Deputy [redacted] announced that he was going to deploy the Taser on S/Cabrera. He said the Taser was very effective and the deputies were able to apply handcuffs and detain S/Cabrera. He believes that Deputy Chavez applied the handcuffs.

Other than Deputy [redacted] punches to S/Cabrera's face, Deputy [redacted] did not observe any other strikes to the Suspect's head or facial area by deputy personnel.

Deputy [redacted] said that he did not participate in a search or protective sweep of the location. Deputy [redacted] did not see any other occupants inside the location, other than assisting deputies and the Suspect.

Deputy [redacted] said he rode with paramedics to the hospital with S/Cabrera. He stayed at the hospital and provided security of the Suspect. While at the hospital Deputy [redacted] saw that S/Cabrera's face was swollen and the Suspect was complaining of pain to his ribs and one of his legs. The evaluating physician told Deputy [redacted] that S/Cabrera had a "broken leg bone," a "broken nose" and "multiple contusions" (Refer to Suspect Injuries, Page 5).

Deputy [redacted] later learned that Deputy [redacted] was injured some time during the incident involving S/Cabrera. Deputy [redacted] saw that one of Deputy [redacted] elbows was very swollen and inflamed.

[redacted]

On August 24, 2005, at approximately 1540 hours, I (Sgt. Sutton) conducted an interviewed with Deputy [redacted] at Internal Affairs Bureau. Present during the interview was Sergeant Baird of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS. The following is a summary of that interview and the supplemental report submitted by Deputy [redacted] (Refer to Exhibit D).

Deputy [redacted] said, on June 27, 2005, he and his partner (Deputy Chavez) responded to [redacted] (location) in regards to an "assistance" request. Deputy [redacted] said he could hear a lot of yelling in the background when the assistance request was broadcast. While driving to the location he heard additional radio broadcasts, requesting deputies to respond and indicating that the suspect was still fighting. At this point he believes that Deputy [redacted] was the one making the radio broadcasts. Deputy [redacted] said it took approximately 2 to 3 minutes to arrive at the location. When they ([redacted] and Chavez) arrived at the location, he saw persons being detained in the front yard by Deputy [redacted], who was standing near the front porch area of the location. He said these persons were face down in a prone position.

> ***IAB Note: Deputy [redacted] drew a sketch of the location, depicting where Deputy [redacted] was standing and detaining the persons in the front yard. He also indicated where Deputy [redacted] was fighting with the Suspect (Refer to Drawing, Exhibit L).***

Deputy [redacted] said he assisted in handcuffing the persons who were detained in the front yard. He believes that Deputy Chavez also assisted in handcuffing these persons. Deputy [redacted] said he could hear deputies yelling at the Suspect to stop fighting. He could also hear yelling coming from inside the location that he could not understand.

Deputy [redacted] said, when he entered the location he saw S/Cabrera fighting with Deputy [redacted] and who he believes was Deputy [redacted] He said the fight was taking place "a couple of steps" inside the front door. Deputy [redacted] saw Deputy [redacted] punch S/Cabrera in the face a "couple times." Deputy [redacted] said that S/Cabrera's left hand was under his torso. He also saw a box cutter laying on the floor near S/Cabrera. Fearing that S/Cabrera could be armed with a weapon, Deputy [redacted] grabbed his (Cabrera's) left arm and tried to pull it free from under his torso so he could control and handcuff him. He said S/Cabrera was kicking his feet and legs, striking the deputies. He (Cabrera) was also punching the deputies, striking them with his free hand.

Unable to free S/Cabrera's left hand from under his torso, Deputy [redacted] struck him (Cabrera) several times with his flashlight on the left shoulder and arm. Deputy [redacted] said he could not get a grip on S/Cabrera's arm because it was slippery with blood or sweat. He then tried pulling on S/Cabrera's shirt sleeve. Suspect Cabrera refused to surrender and continued to kick and punch at the deputies.

Deputy [redacted] saw Deputy [redacted] strike S/Cabrera at least once on the back and right shoulder area with his [redacted] sap. Deputy [redacted] said he gave S/Cabrera several commands to stop resisting and ordered him to place his hands behind his back. Suspect Cabrera refused his orders and continued to struggle and fight. Deputy [redacted] believes he saw Deputy Chavez strike S/Cabrera at least once on the right torso area with his (Chavez') flashlight.

Deputy [redacted] did not see any specific injury to S/Cabrera but did see "a lot of blood" on his arms and face. At some point during the struggle Deputy [redacted] saw a box cutter (knife) laying on the floor near the Suspect.

Deputy [redacted] said S/Cabrera was "Tased" and stopped resisting long enough for deputies to handcuff him. Deputy [redacted] said he was able to pull S/Cabrera's left arm out from under his torso and assisted Deputy Chavez with handcuffing. He could not recall who deployed the Taser.

Deputy [redacted] saw swelling on S/Cabrera's face and blood on his face and t-shirt. He could not see where the blood was coming from.

Deputy [redacted] said he assisted with clearing the location after S/Cabrera was handcuffed. He said there were no other occupants or witnesses inside the location. Deputy [redacted] said he saw a box containing fireworks inside one of the bedrooms in the location. Deputy [redacted] said that the box was partially open, revealing packages of fireworks.

Chavez, Ivan

On August 23, 2005, at approximately 1520 hours, I (Sgt. Sutton) conducted an interviewed with Deputy Chavez at Internal Affairs Bureau. Present during the interview was Sergeant Baird of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS. The following is a summary of that interview and the supplemental report submitted by Deputy Chavez (Refer to Exhibit E).

Deputy Chavez said that on June 27, 2005, he was working with his partner Deputy [redacted] He said that they responded to an assistance request at [redacted] Deputy Chavez said it took a minimum of 2 minutes to arrive. Upon arriving at the location, Deputy Chavez saw two males and one female "proned out" in the front yard of the location. He also saw Deputy [redacted] standing near the front entrance of the location. Deputy Chavez said it appeared that Deputy [redacted] was attempting to detain the persons in the front yard as well as keeping an eye on Deputy [redacted]

Deputy Chavez said he could also hear some form of commands being yelled, coming from inside the location. He could also hear the Suspect yelling something in anger, but could not understand what he was yelling. Deputy Chavez said that he and Deputy [redacted] handcuffed the persons detained in the front yard, then went to assist inside the location. Deputy Chavez said that Deputy Barsh arrived and he directed her to watch the persons in the front yard.

IAB Note: Deputy Chavez drew a sketch of the location, depicting where Deputy [redacted] was standing and detaining the persons in the front yard. He also indicated where Deputy [redacted] was fighting with the Suspect (Refer to Drawing, Exhibit M).

Deputy Chavez said, when he entered the location, he saw S/Cabrera lying face down on the floor, 4 to 5 feet from the front door. He also saw a lot of blood on S/Cabrera's shirt and on the deputies hands. Deputy Chavez believes he saw Deputy [redacted] Deputy Sumner and Deputy [redacted] struggling with S/Cabrera. He said S/Cabrera was kicking at the deputies and concealing his hands under his torso. Deputy Chavez said he attempted to grab one of S/Cabrera's arms to handcuff him, but S/Cabrera rolled away from his grasp and continued to resist and kick his legs.

Deputy Chavez said he struck S/Cabrera twice on his right biceps (upper arm) with his (Chavez') flashlight. The strikes freed up S/Cabrera's right arm long enough that he (Chavez) was able to gain some control and applied a handcuff to S/Cabrera's right wrist. Deputy Chavez said he tried to handcuff S/Cabrera's left arm, but he (Cabrera) rolled over onto his arm, preventing Deputy Chavez from controlling it.

Fearing S/Cabrera could have a weapon under his torso, Deputy Chavez struck S/Cabrera twice on the left rib area with his flashlight in an attempt to gain compliance. He said the flashlight strike had somewhat of an effect on S/Cabrera as he struggled less but still resisted. Suspect Cabrera continued to kick at the deputies and rolled further onto his left hand and arm, concealing it. Deputy Chavez said he saw a razor blade (box cutter) laying on the floor near S/Cabrera.

Deputy Chavez then saw Deputy [redacted] enter the location, armed with a Taser. Deputy [redacted] announced that he was going to deploy the Taser on S/Cabrera. Deputy Chavez backed away from S/Cabrera, but held on to the handcuff that was attached to his (Cabrera's) right wrist. He said once the Taser was deployed, S/Cabrera went limp and they were able to complete the handcuffing without further incident. Deputy Chavez did not feel any affects from the Taser through the handcuffs.

Deputy Chavez said he recalls other impact weapons being used on S/Cabrera but could not recall who struck S/Cabrera or where he was struck. He does recall Deputy [redacted] being armed with a sap. Deputy Chavez said that OC spray was not a consideration because of the close proximity of deputy personnel.

Deputy Chavez could not describe any injury to S/Cabrera, but said he could see a lot of blood on his face, arms and t-shirt. Deputy Chavez said he did not participate in clearing the location.

Sumner, Joseph

On August 24, 2005, at approximately 1515 hours, I (Sgt. Sutton) conducted an interview with Deputy Sumner at Internal Affairs Bureau. Present during the interview was Sergeant Baird of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS. The following is a summary of that interview and the supplemental report (Refer to Exhibit C) submitted by Deputy Sumner.

On June 27, 2005, Deputy Sumner said he responded to the location [redacted] with his partner (Deputy Barsh), regarding deputies involved in a fight. While en route, Deputy Sumner heard requests broadcast over the radio for additional deputies to respond to the location. Deputy Sumner could hear yelling in the background during these radio broadcasts. He added that the tone of the deputy's voice on the radio sounded "serious." Deputy Sumner said it took them about 1 minute to arrive at the location.

Upon arriving at the location he exited his patrol and approached the location. Deputy Sumner saw Deputy Barsh fall to the ground after exiting the patrol car, but she quickly got up. He also saw Deputy [redacted] standing near the front porch of the location. Deputy [redacted] was detaining several persons in the front yard. Deputy Sumner could hear yelling coming from inside the location as he approached. Deputy [redacted] then directed Deputy Sumner to the inside of the home.

> ***IAB Note: Deputy Sumner drew a sketch of the location, depicting where Deputy [redacted] was standing and detaining the persons in the front yard. He also indicated where Deputy [redacted] was fighting with the Suspect (Refer to Drawing, Exhibit K).***

Deputy Sumner said there was a "sally-port" type of entrance to the location. There was a steel security gate containing the porch area, then another steel security gate at the front entrance door, which was open. When Deputy Sumner entered the location he saw Deputy [redacted] and Deputy [redacted] attempting to hold S/Cabrera down on the floor. The struggle was taking place approximately 6 feet inside the front door. S/Cabrera had one knee on the floor and was fighting with the deputies. Deputy Sumner saw S/Cabrera punching at Deputy [redacted] He said the deputies were yelling at S/Cabrera to get down to the floor, but he refused. Deputy Sumner said he grabbed onto S/Cabrera's legs and pulled them out from under him, causing S/Cabrera to fall to the floor, face down. He (Sumner) then placed his legs and knees on S/Cabrera's legs, trying to pin him to the floor.

Deputy Sumner said that S/Cabrera continued to throw punches at the other deputies ([redacted] and [redacted] S/Cabrera continued to kick his legs and at one point Deputy Sumner said he (Cabrera) "bucked" him off. In an attempt to gain compliance, Deputy Sumner said he struck S/Cabrera "a couple of times" with his flashlight on his (Cabrera's) lower legs. Deputy Sumner then saw S/Cabrera place his hands under his torso as he was lying face down on the floor. Deputy Sumner feared that S/Cabrera was going to retrieve some type of weapon from under his torso. He then struck the Suspect again, 4 to 5 times, with his flashlight, on the lower leg area (unknown which leg), and ordered him to stop fighting, but he refused.

Deputy Sumner said shortly after he arrived, Deputy [redacted] and Deputy Chavez arrived. Deputy Sumner said he was unable to observe the force used by the other deputies involved because he had his face down "bear hugging" the Suspect's legs.

Deputy Sumner said that Deputy [redacted] arrived with the Taser and announced that he was going to deploy it on S/Cabrera. The Taser "subdued" the Suspect, which allowed deputies to handcuff him without further incident. Deputy Sumner believes that Deputy [redacted] or Deputy Chavez handcuffed S/Cabrera.

After S/Cabrera was handcuffed and detained, Deputy Sumner saw that he (Cabrera) had blood covering his face. He (Sumner) did not see any specific injury.

Deputy Sumner said he did not witness other deputies using impact weapons on the Suspect. He did recall seeing a box cutter laying on the floor near the Suspect.

[redacted]

On August 23, 2005, at approximately 1540 hours, I (Sgt. Sutton) conducted an interview with Deputy [redacted] at Internal Affairs Bureau. Present during the interview was Sergeant Baird of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS. The following is a summary of that interview and the supplemental report (Refer to Exhibit G) submitted by Deputy [redacted]

On June 27, 2005, Deputy [redacted] said that he responded to the location [redacted] regarding an assistance request. He said that Deputy [redacted] broadcast over the radio that they ([redacted] & [redacted] were involved in a fight. Deputy [redacted] said he responded Code-3, and while responding he heard additional radio requests for assistance. During the radio broadcasts Deputy [redacted] could hear deputies in the background yelling, "Stop fighting." He said it took him approximately 3 to 4 minutes to arrive at the location.

While responding, Deputy [redacted] heard an additional radio request for a Taser, which he had. Deputy [redacted] acknowledged that he had a Taser, and advised he would be at the location in seconds. Upon arriving at the location he saw two males and one female being detained in the front yard. Deputy [redacted] also saw deputy [redacted] standing near the front porch of the location, on the walkway. He also saw Deputy Barsh positioned in the front yard of the location.

Deputy Montoya said that he knows the location is a place where narcotics are frequently sold. He added that he has previously assisted Narcotic Bureau with search warrants on the location.

Deputy [redacted] said when he approached the front entrance of the location he advised Deputy [redacted] that he was armed with the Taser. Deputy [redacted] said he could hear deputies giving commands, something to the effect of "stop fighting, stop fighting." Approximately 5 feet inside the doorway, Deputy [redacted] saw S/Cabrera "wrestling" on the ground with Deputy [redacted] Deputy Chavez and other deputies. He also saw that S/Cabrera had blood on his arms, shirt and face.

Deputy [redacted] said the deputies were trying to control the Suspect's arms, but he easily pulled away from them as his arms appeared slippery from the blood.

> ***IAB Note: Deputy [redacted] drew a sketch of the location, depicting where Deputy [redacted] was standing and detaining the persons in the front yard. He also indicated where Deputy [redacted] was fighting with the Suspect (Refer to Drawing, Exhibit O).***

Deputy [redacted] said he saw a box cutter with the blade exposed laying on the floor near S/Cabrera. The Suspect was attempting to push himself off of the floor and repeatedly reached under his waist as he was lying face down.

Deputy [redacted] announced that he was going to deploy the Taser. He "shot" S/Cabrera once with the Taser in the upper back area and cycled the Taser for approximately 5 seconds. Deputy [redacted] said the Taser had an immediate effect on S/Cabrera, as he stopped fighting and complied. Deputies quickly handcuffed S/Cabrera without further incident.

Deputy [redacted] said when paramedics arrive, S/Cabrera began yelling and became belligerent. He said, based on the Suspect's behavior, it appeared as he was under the influence of a stimulant or was drunk. Deputy [redacted] said that S/Cabrera continued "screaming and yelling" and was "very angry and belligerent." He told S/Cabrera to calm down, but he continued to yell, kick his legs and thrash around. Deputy [redacted] inactivated the Taser and cycled it for approximately 3 seconds so S/Cabrera could hear the electrical noise. After cycling the Taser in this fashion, S/Cabrera became cooperative. Deputy [redacted] rode with paramedics to the hospital, because the Taser darts were still attached to the Suspect.

Deputy [redacted] said that he did not see any deputies strike S/Cabrera with impact weapons, nor did he see any deputies punch or kick him. Deputy [redacted] said the only force he witnessed was S/Cabrera resisting the deputies when they were trying to force his arms behind his back to handcuff him. During the above incident, Deputy [redacted] said he did not see any occupants inside the location, other than deputy personnel and the Suspect.

While at the hospital Deputy [redacted] saw that S/Cabrera had blood on his face and he may have had an injury to his lip. He does not recall seeing any specific injury that cause him to bleed.

[redacted]

On August 10, 2005, at approximately 1030 hours, I (Sgt. Sutton) conducted an interview with Deputy [redacted] at Internal Affairs Bureau. Present during the interview was Sergeant Berg of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS. The following is a summary of that interview and the supplemental report (Refer to Exhibit F) submitted by Deputy [redacted]

Deputy [redacted] said on June 27, 2005, he responded to emergency radio traffic regarding deputies involved in a fight at [redacted] He believes that Deputy [redacted] was putting out the radio traffic requesting assistance.

Deputy [redacted] also heard a radio request for a Taser at the location. Deputy [redacted] said he responded from the north end of the City of Compton. He said that it took him approximately 3 minutes to arrive. When Deputy [redacted] arrived, he saw that there were several patrol cars already at the location.

Upon arriving, Deputy [redacted] saw Deputy [redacted] standing at the entrance to the front porch of the location. Deputy [redacted] also saw 2 males and 1 female detained in a prone position in the front yard. He said that Deputy [redacted] directed him [redacted] to the front room of the location where deputies were fighting with the Suspect. When Deputy [redacted] entered the location he saw 3 to 4 deputies (Deputies [redacted] Sumner, [redacted] and Chavez) struggling with S/Cabrera, on the floor.

> ***IAB Note: Deputy [redacted] drew a sketch of the location, depicting where Deputy [redacted] was standing and detaining the persons in the front yard. He also indicated where Deputy [redacted] was fighting with the Suspect (Refer to Drawing, Exhibit N).***

Deputy [redacted] said the deputies were trying to get a hold of the Suspect's arms, attempting to handcuff him. He said the deputies were giving S/Cabrera commands to stop fighting and to place his arms behind his back. Suspect Cabrera was lying on his stomach and had one of his hands under his torso, near his waist.

Deputy [redacted] directed his attention to the kitchen area of the location and pointed his handgun in that direction. He was concerned about other suspects being inside the location. Deputy [redacted] said as he maintained his position, he could hear the deputies continuing to struggle with the Suspect. He could also hear S/Cabrera screaming and yelling in anger. Deputy [redacted] briefly looked at the Suspect and saw blood on his facial area.

Deputy [redacted] did not see any of the deputies strike the Suspect with impact weapons, nor did he see any deputies punch or kick him (Cabrera). He does recall one of the deputies (unknown) being armed with a sap. Deputy [redacted] does not recall seeing any knives or weapons on the floor of the location.

Deputy [redacted] said the deputies were having difficulty controlling the Suspect. In an attempt to aid the deputies and still maintain a visual observation of the location, he walked to the Suspect and place his foot/boot on the back of his (Cabrera's) head. Deputy [redacted] pushed on the back of the Suspect's head, holding it against the floor. He said the Suspect continued to thrash and spray blood on the deputies. Deputy [redacted] said he was not successful in hold the Suspect down as his boot slipped off of S/Cabrera's head. Deputy [redacted] did not consider OC spray, because of the close proximity of deputy personnel.

Shortly thereafter, Deputy [redacted] arrived with the Taser and "tased" the Suspect. The deputies were then able to handcuff S/Cabrera. He said approximately 5 minutes transpired from the time he heard the initial assistance request to the time S/Cabrera was handcuffed.

Deputy [redacted] said paramedics arrived at the location and immediately cared for the Suspect. He said the Suspect repeatedly "chipped" at the deputies and continued to be belligerent and somewhat uncooperative. Deputy [redacted] said once the Suspect was placed on a gurney, he [redacted] saw bruising on his (Cabrera's) torso area and blood on his mouth.

Deputy [redacted] assisted with clearing the location, and no other occupants/suspects were located. Deputy [redacted] saw a military box that contained fireworks in one of the rooms of the location.

While at the location Deputy [redacted] saw that Deputy [redacted] had an "enormous" amount of swelling on his left elbow. He does not know how Deputy [redacted] was injured.

EMPLOYEE WITNESS STATEMENTS:

[redacted]

On August 23, 2005, at approximately 1650 hours, I (Sgt. Sutton) conducted an interview with Deputy [redacted] at Internal Affairs Bureau. Present during the interview was Sergeant Baird of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS. The following is a summary of that interview and the supplemental report (Refer to Exhibit H) submitted by Deputy [redacted]

On June 27, 2005, Deputy [redacted] was working with his partner [redacted] Deputy [redacted] Deputy [redacted] said that he received information that narcotics were being sold at [redacted]. He said that since he has been assigned to the Compton Station, [redacted] has been known for the sales of narcotics. [redacted] added that he has personally made several narcotics arrests associated with that location. He added that suspects have run away from him on numerous prior occasions, from the location.

Deputy [redacted] said he told Deputy [redacted] of this information and advised him [redacted] that they would conduct a patrol checks of the location. He told Deputy [redacted] that if they see anything suspicious they would detain those persons in front of the location. Deputy [redacted] said that he has discussed the new "Foot Pursuit" policy (MPP 5-09/220.50, Refer to Miscellaneous Documents) with Deputy [redacted] He said that he also discussed not to split partners and to broadcast the required information over radio during a foot pursuit.

Deputy [redacted] said as he was driving south on Essey Avenue when he saw three male Hispanics standing in front of the location. He said that when the patrol car got within 15' of the location, one of the male Hispanics (later identified as S/Cabrera) looked in the direction of their ([redacted] & [redacted]) patrol car. Deputy [redacted] said Deputy [redacted] then yelled, "Hey, he just threw something on the floor." Believing that S/Cabrera had just discarded some form of narcotics, Deputy [redacted] stopped the patrol car in front of the location. He exited his patrol car and Deputy [redacted] exiting the passenger side.

Deputy [redacted] said that both he and Deputy [redacted] ordered S/Cabrera to come to them. Deputy [redacted] saw the baggies laying on the ground and saw they contained Marijuana. S/Cabrera refused to come to the deputies and began walking towards the front door of the location. Deputy [redacted] said he told Deputy [redacted] to "grab" S/Cabrera and detain him. He said at this point he [redacted]) was concerned about the other persons standing in the front yard of the location. Deputy [redacted] said he followed behind Deputy [redacted] who was walking quickly towards S/Cabrera.

Deputy [redacted] said when S/Cabrera reached the front porch of the location a "struggle" ensued as Deputy [redacted] tried to grab the Suspect. He said that S/Cabrera attempted to close the security gate leading onto the front porch, but Deputy [redacted] was able to push the gate open and follow S/Cabrera. Suspect Cabrera then entered the front door of the location and closed the door. Deputy [redacted] was able to overpower S/Cabrera and forced the door open. He said Deputy [redacted] stepped inside the location and a "fight" with S/Cabrera immediately began. Deputy [redacted] said that he saw Deputy [redacted] punch S/Cabrera in the face at least one time. Deputy [redacted] said that S/Cabrera and Deputy [redacted] started punching at each other. He also saw S/Cabrera kicking Deputy [redacted] Deputy [redacted] said both Deputy [redacted] and Suspect Cabrera wound up on the floor. He then saw Deputy [redacted] placing S/Cabrera in a "bar-armed" control hold as they were lying on the floor.

Deputy [redacted] said at some point during their attempt to detain S/Cabrera, Deputy [redacted] told Deputy [redacted] that he had arrested the Suspect the week prior for a narcotics violation.

Deputy [redacted] said it was not their plan to chase S/Cabrera into the location. He said the chain of events leading to entering the location happened quickly. Deputy [redacted] was trying to get a hold of S/Cabrera prior to entering and the struggle wound up just inside the front door. Deputy [redacted] said he heard S/Cabrera state something to the effect of, "Come on let's go," or "Come on let's get down."

Deputy [redacted] said he tripped and fell on the sidewalk, just as he was going to enter the front porch of the location, behind Deputy [redacted]. As he was falling Deputy [redacted] put his hand out to break his fall, then pushed himself up with his left arm. Deputy [redacted] said he felt his triceps muscle pop when he pushed himself up off the ground. He said the injury was bad enough that he was unable to assist Deputy [redacted] while he was fighting S/Cabrera. Deputy [redacted] categorized his injury as, "completely disabled."

> ***IAB Note: On the night of this incident Sergeant Baird and myself rolled-out to Compton Station to begin this investigation. We both saw that Deputy [redacted] left elbow and upper arm was bruised and swollen (Refer to Employee Injury Report, Exhibit AA).***

Deputy [redacted] said he did have several concerns about entering the location with Deputy [redacted] He said the persons in the front yard began to approach him and he feared if he took his eyes off of them they could assault both he and Deputy [redacted] Deputy [redacted] was also concerned with the fact that he did not know if there were any occupants inside the location that could be a threat. Deputy [redacted] added that less than one minute transpired from the time they exited the patrol car to the time Deputy [redacted] began fighting with S/Cabrera inside the location.

Deputy [redacted] said the fight between Deputy [redacted] and S/Cabrera went to the ground "pretty quick" and he said that Deputy [redacted] "was holding his own." He saw that Deputy [redacted] had a "pretty good hold" on S/Cabrera, so he [redacted] continued to maintain his position on the front porch, detaining the persons in the front yard at gunpoint. He said that a female he was detaining (later identified as W/[redacted] approached him and wanted to gain access to the location. Deputy [redacted] said the Ms. [redacted] and the other persons being detained in the front yard were yelling, "Hey, get out of there! You can't go in the house! Fuck the police!" He ordered Ms. [redacted] to the ground and she reluctantly complied.

> ***IAB Note: Deputy [redacted] drew a sketch of the location, depicting where he was standing and detaining the persons in the front yard. He also indicated where Deputy [redacted] was fighting with the Suspect (Refer to Drawing, Exhibit P).***

Deputy [redacted] said that after Deputy [redacted] entered the location, he ([redacted]) broadcast a request for "assistance" over his handheld radio and also requested a Taser. Deputy [redacted] added that he was concerned because the persons he was detaining in the front yard were not cooperative and he knew the location had connections with local gangs. Deputy [redacted] never lost sight of Deputy [redacted] and added that Deputy [redacted] was approximately 5 to 7 yards away during the entire incident. Deputy [redacted] felt that OC spray was not an option because of the close contact Deputy [redacted] had with S/Cabrera.

Deputy [redacted] said that S/Cabrera was bleeding a lot during the fight. Deputy [redacted] struggled to maintain his grip on S/Cabrera because of the slippery blood. At no point during the struggle does Deputy [redacted] recall Deputy [redacted] warning or advising him that the Suspect was armed with a knife.

Deputy [redacted] said it took approximately 3 minutes for the first assisting deputies to arrive. He believes that Deputy [redacted] and Deputy Chavez were the first to arrive. When the assisting deputies began to arrive, Deputy [redacted] said he directed them into the location to assist Deputy [redacted] Deputy [redacted] said a couple of the deputies remained outside and handcuffed the persons being detained in the front yard. He recalls one of those deputies being Deputy Barsh. Deputy [redacted] said that Deputy Barsh remained in front of the location to assist with detaining those persons. He added that Deputy Barsh would not have been able to observe the struggle with S/Cabrera from where she was positioned in front of the location.

Deputy [redacted] said he saw Deputy [redacted] had arrived, armed with a Taser. At this point S/Cabrera was still struggling with the deputies and refused to surrender. Deputy [redacted] said he told Deputy [redacted] to deploy the Taser on S/Cabrera. Deputy [redacted] said he did not see the Taser being deployed but he could hear it being activated.

Once the Taser was deployed and activated, S/Cabrera surrendered and the deputies were able to handcuff him without further incident. Deputy [redacted] said that he did not see any assisting deputies use impact weapons and can only recall that he saw, "a pile of people" on the Suspect.

Deputy [redacted] said Ms. [redacted] was arrested for attempting to interfere with the deputies. He said that she continually refused his orders and attempted to enter the location after being ordered to remain in the front yard (Refer to Supplemental Report, Exhibit H).

After this incident Deputy [redacted] said he discussed and debriefed the incident with Deputy [redacted] He added that they talked about other options, one being not to enter the location and to back off and contain it. Deputy [redacted] said that he discussed with Deputy [redacted] the dangers of engaging a suspect armed with a deadly weapon. Deputy [redacted] told Deputy [redacted] that he felt he did not have time to back away and felt S/Cabrera was going to attack him with the box cutter.

Barsh, Jennifer

On August 24, 2005, at approximately 1320 hours, I (Sgt. Sutton) conducted an interview with Deputy Barsh at Internal Affairs Bureau. Present during the interview was Sergeant Baird of Internal Affairs Bureau and Ms. Helen Schwab, counsel for ALADS.

Deputy Barsh said on June 27, 2005, she was working with Deputy Sumner when they heard an assistance request broadcast over the radio. The broadcast advised that deputies were involved in a fight at [redacted] She also heard yelling over the radio, from deputies in the background. She could hear deputies yelling at the Suspect to, "Stop fighting." Deputy Barsh added that the noise over the radio sounded "like a fight" was occurring. While en route to the location Deputy Barsh heard a radio request for a Taser.

Upon arriving at the location she saw several people being detained in the front yard. Deputy Barsh could not recall if she was the driver or passenger of their (Barsh & Sumner's) patrol car. Deputy Barsh did say that when she exited the patrol car she slipped and fell after stepping on some oil in the street. She saw that Deputy [redacted] was detaining persons, who were in a prone position in the front yard. Deputy Barsh could not remember if the persons in the front yard were already handcuffed, nor could she remember if she handcuffed anyone. She said that Deputy [redacted] was standing at the front porch of the location, giving commands to, "Stay on the ground."

Deputy Barsh did not enter the location and remained outside to assist Deputy [redacted] Deputy Barsh could hear a lot of yelling coming from inside the location and heard deputies ordering the Suspect to stop fighting. Deputy Barsh said she was not able to see the fight or any force used by deputies from her position in the front yard. While detaining the persons in the front yard, she saw Deputy [redacted] arrive with a Taser and enter the location.

Deputy Barsh said after the Suspect was detained, paramedics arrived. When the paramedics transported the Suspect out of the location she saw he (Suspect) had blood on his facial area. She did not see any specific injuries.

While at the location, Deputy Barsh saw that one of Deputy [redacted] elbows was bruised and swollen.

WITNESSES STATEMENTS:

[redacted]

On Tuesday, August 09, 2005, myself (Sgt. Sutton) and Sergeant Baird drove to [redacted] and contacted W[redacted]. Witness [redacted] refused to be audio taped. The following is a summary of that interview. She refused to provide me any of her personal information (birth date, phone number, etc.). The following is a summary of this interview and the interview conducted by Sergeant Rodriguez the day of the incident (Refer to Video, Investigator's File).

Witness [redacted] lives in the house that is [redacted] She said that on June 27, 2005 she was standing in her front yard when she saw deputies arrive . She said that two deputies ([redacted] & [redacted] exited their patrol car and chased S/Cabrera into the house (location) for no reason.

Witness [redacted] did not witness any force used by deputies. She said that she could hear S/Cabrera and the deputies yelling. Later, she saw S/Cabrera be transported to an ambulance. She saw that S/Cabrera was "covered in blood."

Witness [redacted] could offer nothing further and she did not know if there were any additional witnesses that I could interview.

> ***IAB Note: I (Sgt. Sutton) obtained W[redacted] cell phone number from S/Cabrera during his interview. I telephone her on three separate occasions, attempting to locate [redacted] (W[redacted] I left three phone messages (09/08/05, 09/09/05 & 09/13/05), one that W[redacted] returned. She said that she did not know a phone number or address for [redacted] but would try to locate her and have her contact me. I never heard from [redacted] or W[redacted] again.***

Witness [redacted] told Sergeant Rodriguez that a deputy (unknown) struck '[redacted]' (W/[redacted] in the head with a baton and pushed her into the front yard of the location.

IAB Note: During Witness [redacted] interview with Sergeant Rodriguez, she said that deputies did not use any force on her. She had no visible injury and did not complain of pain (Refer to W/[redacted] Interview).

[redacted]

On December 14, 2005, myself (Sgt. Sutton) and Sergeant Baird attempted to contact [redacted] at [redacted] was named in Deputy [redacted] supplemental report (Refer to Exhibit H) as one of the persons he detained in the front yard of the location during the incident with Suspect Cabrera. I contacted Mrs. [redacted] at the [redacted] address and she told me that [redacted] was at work. Mrs. [redacted] provided me with his cell phone number.

I called [redacted] who told me that he was never at the location on [redacted]. He then told me that he has a [redacted] named [redacted] (W/[redacted] who was currently [redacted]. [redacted] recalls [redacted] mentioning the [redacted] location but could not recall what he said. [redacted] went on to say that [redacted] has used his ([redacted]) name often, lying to police about his true identity. [redacted] also said that [redacted] has a drug problem and associates with the wrong people.

On January 11, 2006, I (Sgt. Sutton) received a telephone call from [redacted] (W/[redacted]). Witness [redacted] told me that he had just been [redacted], he also said that he was a witness to the incident on June 27, 2005, involving Suspect Cabrera and deputies. Witness [redacted] refused to be interviewed over the telephone and we arranged to meet the following day (01/12/06).

On January 12, 2006, I interviewed W/[redacted] at [redacted] Present during the interview was Sergeant Mike Berg of the Internal Affairs Bureau. The following is a summary of that interview.

Witness [redacted] said on June 27, 2005, he was at [redacted] (location) working on a friend's car. He recalls several persons being at the location; '[redacted]' (W/[redacted]), Suspect Cabrera and [redacted] (S/Cabrera's [redacted].

Witness [redacted] said that he was seated near a shed located in the front yard (Refer to Photograph, Exhibit R) when deputies "skidded" their patrol car to a stop in front of the location. He said S/Cabrera was leaning against the fence in the front yard. Witness [redacted] said the deputies quickly opened the patrol car doors and "pretended like they were going to chase someone." He said the deputies actions scared S/Cabrera, so he walked away, towards the front door of the location to try to avoid the deputies. He described the deputies, one being Hispanic and the other one was thin and either White or Hispanic (Deputy [redacted] and Deputy [redacted].

Witness [redacted] said on numerous past occasions other deputies would drive by the location and yell "we're going to get you" at S/Cabrera. He does not know who these deputies were nor can he describe them. Witness [redacted] could offer no reason why deputies would say these things to S/Cabrera. He [redacted] knows that S/Cabrera has been arrested in the past but does not know why.

Witness [redacted] said the deputies exited their patrol car with their handguns drawn. The deputies began chasing S/Cabrera and he heard them order him (Cabrera) to stop and get down on the ground. Witness [redacted] said that S/Cabrera refused and responded by saying something to the effect of, "I don't know why you guys are saying anything."

IAB Note: During his interview, Suspect Cabrera said that the deputies never said anything to him, nor did they order him to stop and get on the ground (Refer to S/Cabrera Interview).

He said the deputies chased S/Cabrera to the front porch area of the house. He said the front porch is screened in with a security gate, that S/Cabrera closed behind him. The deputies forced the gate open and re-holstered their handguns. Witness [redacted] said one of the deputies (Deputy [redacted] punched S/Cabrera in the face, "dazing him." Then both deputies started "beating him up," on the front porch. He said Suspect Cabrera went down and the deputies continued to punch and kick him. Witness [redacted] said the deputies then drug S/Cabrera into the house. The Hispanic deputy (Deputy [redacted]) returned and positioned himself at the front porch. Witness [redacted] said he was seated in the doorway of the shed, approximately 5 feet away from where the deputies were fighting with S/Cabrera, inside the house.

IAB Note: Myself (Sgt. Sutton) and Sergeant Baird inspected the outside of the location. The distance from where Witness [redacted] said he was seated and where the fight with S/Cabrera occurred was approximately 25 feet away, not 5. Also, it appears that W/[redacted] would have to have been on the front porch to see into the front room of the house because the front porch was completely inclosed by a security screen.

During S/Cabrera's interview, he alleges that Deputy [redacted] did not assault him until he was standing inside the front room of the location. This contradicts what Witness [redacted] said he saw, when Deputy [redacted] and Deputy [redacted] "started beating him up," on the front porch.

Witness [redacted] said Deputy [redacted] re-drew his handgun and pointed it at him. Deputy [redacted] order him [redacted] to lay down on the ground, face down. Witness [redacted] said Deputy [redacted] looked towards his partner (Deputy [redacted]), who was fighting with S/Cabrera inside the location. He heard Deputy [redacted] yell at S/Cabrera, "Stop fighting." Witness [redacted] said that S/Cabrera was not fighting back and that Deputy [redacted] was "beating him down on the ground." He saw Deputy [redacted] leave his position at the front porch twice and go inside to assist Deputy [redacted] Witness [redacted] said that Deputy [redacted] kicked S/Cabrera with his boot, in the stomach area and in the face.

IAB Note: During S/Cabrera's interview, he said that Deputy [redacted] kicked him once on the side of his torso, but not the face. This contradicts what Witness [redacted] said he saw, when Deputy [redacted] allegedly kicked the Suspect in the stomach and face.

Witness [redacted] said he saw a knife on the floor, inside the location, when S/Cabrera was "getting beat down." He said Deputy [redacted] ordered S/Cabrera to pick-up the knife, but S/Cabrera refused too do so. Witness [redacted] said that when S/Cabrera refused to pick up the knife, Deputy [redacted] left the front porch and "started beating" S/Cabrera. He said the deputies beat him (Cabrera) for about 10 minutes, by punching and kicking him.

Witness [redacted] said he saw one of the deputies holding the knife after S/Cabrera was detained. He described the knife as approximately 10" long with a fixed blade and plastic or wooden handle, similar to a large kitchen knife. Witness [redacted] added that it was the type of knife you would use to "cut meat."

IAB Note: During S/Cabrera's interview, he described a knife that deputies said he was armed with and forced him to touch. Suspect Cabrera described that knife as a box cutter style knife with a retractable razor blade. This contradicts the description of the knife Witness [redacted] said he saw.

Witness [redacted] said he saw Deputy [redacted] radio for back-up. He said "about 5 or 10 units" arrived and the back-up deputies went into the house and continued to fight S/Cabrera. Witness [redacted] said sometime before the back-up deputies arrived, either Deputy [redacted] or Deputy [redacted] shot S/Cabrera with the Taser.

IAB Note: Sergeant Berg asked Witness [redacted] several times if he was certain that S/Cabrera was shot with a Taser before the back-up deputies arrived. Witness [redacted] said he was certain that either Deputy [redacted] or Deputy [redacted] shot S/Cabrera with the Taser before additional deputies arrived.

During S/Cabrera's interview, he said that one of the back-up deputies shot him with the Taser. This contradicts what Witness [redacted] said about the Taser being deployed before assisting deputies arrived.

Witness [redacted] said that a girl who lived next door came to the gate of the location and yelled, "You're going to kill him." Witness [redacted] said, "I guess he was knocked out already and they were still beating him." He said one of the deputies grabbed the girl by the hair and forced her inside the fenced area of the location and push her down to the ground. Witness [redacted] said he could not remember what this deputy looked like. Witness [redacted] said the girls name was "[redacted] (W/[redacted]

IAB Note: I (Sgt. Sutton) was not successful in contacting W/[redacted] It should be noted that there were no other allegations of force, nor did deputies report using any force, other than that used on S/Cabrera.

Witness [redacted] said he could not see what force the other assisting deputies may have used on S/Cabrera, because he was lying face down in the front yard. He said that he could hear what sounded like a fight coming from inside the location, after the assisting deputies arrived. Witness [redacted] could also hear S/Cabrera moaning, as if he was in pain, but did not hear any orders being given by deputies..

Witness [redacted] said that paramedics arrived and placed S/Cabrera on a gurney. He said that before the paramedics brought S/Cabrera outside they cleaned all the blood off of him. Suspect Cabrera was placed in the ambulance and was transported to the hospital. Witness [redacted] added that S/Cabrera had on a neck brace and some type of brace around one of his legs.

Witness [redacted] said he spoke with S/Cabrera about six months ago (after the incident and before this interview). Suspect Cabrera asked Witness [redacted] if he could be a witness for him, if needed. Witness [redacted] said he told S/Cabrera that he would help him.

Witness [redacted] said that he has never seen any form of narcotics at the location, nor did he see Suspect Cabrera in possession of any narcotics the day of this incident. He added that he has seen both Deputy [redacted] and Deputy [redacted] in the past, patrolling the area.

[redacted]

On December 14, 2005, myself (Sgt. Sutton) and Sergeant Baird attempted to contact Ms. [redacted] at [redacted], but there was no answer at the door. We left a business card and a note for Ms. [redacted] to call. As of January 20, 2006, she has yet to call.

Ms. [redacted] was one of the persons identified in Deputy [redacted]s supplemental report (Refer to Exhibit H) as being one of the persons he detained in the front yard of the location during the incident with Suspect Cabrera. Ms. [redacted] telephone number is indicated in this report, but it has since been disconnected. I also made attempts to contact Ms. [redacted] through Witness [redacted] but those attempts also failed (Refer to W/[redacted] Interview).

Witness [redacted] was interview by Sergeant Rodriguez the day of this incident (Refer to Video Tape, Investigator's File). Witness [redacted] said she was standing in front of the location when deputies told her to get on the ground. She said that she complied and no deputies used force on her. Witness [redacted] did not see any force used on Suspect Cabrera and she only heard yelling coming from inside the location.

SUSPECT STATEMENTS:

Cabrera, Javier

On September 07, 2005, at approximately 1540 hours, I (Sgt. Sutton) interviewed S/Cabrera at Mens Central Jail. The following is a summary of that interview.

> ***IAB Note: On the day of the incident (06/27/05), I (Sgt. Sutton) and Sergeant Baird attempted to interview S/Cabrera at Long Beach Memorial Hospital. S/Cabrera was medicated and incoherent. I attempted to talk to him, but he was unable to communicate.***

Suspect Cabrera said that on June 27, 2005 he was standing in front of the location ([redacted] with his nephew [redacted] and "another guy" (unknown). Suspect Cabrera said he does not live at the location but he stays there frequently. He said while standing in front of the location he saw a Sheriff's patrol car driving south on Essey Ave. When S/Cabrera saw the deputies he turned away and began walking towards the front door of the location.

Suspect Cabrera said at the time of this incident he was on parole. He added that the "other guy" (later identified as W[redacted] he was standing with was also on parole. Suspect Cabrera said he walked away because he did not want the deputies to catch him associating with another parolee. He said this would have violated the conditions of his parole. Suspect Cabrera said as he walked away from the deputies they never gave him any orders to stop or get down on the ground.

Suspect Cabrera said as he entered the front porch area of the location, the deputies approached him from behind and pushed him into the house. He said one of the deputies ([redacted] "threw" him on the floor, then wrapped his legs around his (Cabrera's) neck. He said Deputy [redacted] then punched him several times in the face with his left fist.

Suspect Cabrera said he told Deputy [redacted] "hey what's going on?" He also advised Deputy [redacted] that he was suffering from a previous gunshot wound that still bothers him. He said that initially, Deputy [redacted] partner (Deputy [redacted] did not enter the location, but he stood on the front porch pointing his gun towards the front yard. Suspect Cabrera said at one point during the altercation Deputy [redacted] walked up to him while he (Cabrera) was lying on the floor with Deputy [redacted] Deputy [redacted] then kicked him once in the rib area and went back to the front porch.

Suspect Cabrera said he was screaming for help and saying "what's going on." Shortly after he and Deputy [redacted] fell to the floor other deputies began to arrive. He said one of the deputies grabbed his legs and twisted them. Suspect Cabrera said he was face down on the floor when he felt one of the deputies strike him several times on the left- rear side of his shoulder with a hard object.

Suspect Cabrera said one of the deputies had a hold of his right arm and was twisting it. He remembers another deputy striking him on the back with a different hard object. Suspect Cabrera believes his leg was broken from the deputy twisting it. He does not recall being struck on the legs with anything.

Suspect Cabrera said he never resisted, punched or kicked at the deputies. He said all he did was try to cover his face with his hands and arms to protect himself from the deputies attack.

Suspect Cabrera said another deputy arrived with a Taser. He said the deputy shot him with Taser, and does not remember anything else until paramedics arrived. After being handcuffed, S/Cabrera said he saw one of the deputies holding a box cutter (knife) and state, "He had this," referring to S/Cabrera being armed with the box cutter. Suspect Cabrera said he was not armed with the box cutter and told the deputy he wanted it to be finger printed to prove he did was posses it. He said the deputy (unknown) then rubbed the box cutter over his finger to put his (Cabrera's) fingerprints and blood on it. Suspect Cabrera said he was never armed with any type of a weapon.

Suspect Cabrera said he is partially paralyzed in his left arm and hand resulting from a previous injury. He said that there was no way he could have been armed with the box cutter in his left hand because he would not have been able to grip it.

> ***IAB Note: I (Sgt. Sutton) saw that S/Cabrera's left arm and hand was somewhat disfigured. His left arm was slightly thinner that his right and he could not extend the fingers on his left hand. He was however, able to hold papers and easily manipulated his left arm and hand. He could move his fingers, open and close his hand and bend his arm at the elbow with little effort.***

Suspect Cabrera said he was arrested a few weeks before this incident. He said that he was arrested for possession of Marijuana for sales. He believes that either Deputy [redacted] or Deputy [redacted] arrested him.

> ***IAB Note: Deputy [redacted] admitted to arresting S/Cabrera, prior to this incident, for possession of Marijuana for sales (Refer to Deputy [redacted] Interview).***

Suspect Cabrera said he did not possess Marijuana the day of this incident as indicated by Deputy [redacted] Suspect Cabrera said he has been to prison and has no reason to lie.

Suspect Cabrera could not offer a reason why the deputies used force on him. He said the deputies knew him and knew he was on parole, he believes this could be the only reason why they assaulted him. Suspect Cabrera added that there were no independent eyewitnesses to this incident.

Suspect Cabrera told me that the female (later identified as [redacted] that was detained in the front yard is his friend. He said that her first name is "[redacted] but he does not know her last name. He provided me with a cell phone number [redacted] to the house [redacted] and told me to speak to "[redacted]" (later identified as W/[redacted] He said that [redacted] could get a hold of [redacted] so I could interview her.

> ***IAB Note: I (Sgt. Sutton) telephone [redacted] but she did not know how to contact [redacted] She did tell me that [redacted] was recently released from the Orange County Jail (Refer to [redacted] interview for further).***

Suspect Cabrera did not know how to contact his [redacted] [redacted]. He provided me with a telephone number [redacted]) for his [redacted] [redacted] He said [redacted] could contact [redacted] for me.

IAB Note: I (Sgt. Sutton) contacted [redacted] by telephone on two different occasions. Both times she said that she would attempt to contact [redacted] and have him call me. She did not know of a telephone number or address for [redacted] [redacted] never returned my call.

Sergeant Rodriguez conducted a videotaped interview with [redacted] [redacted] said he did not see anything and only heard yelling (Refer to Video Tape, Investigators File).